

**§ 2511. Patents**

Section 5908 of title 42 shall apply to any contract (including any assignment, substitution of parties, or subcontract thereunder), entered into, made, or issued by the Secretary of Energy pursuant to section 2507 of this title.

(Pub. L. 94-413, §12, Sept. 17, 1976, 90 Stat. 1269; Pub. L. 95-91, title III, §301(a), Aug. 4, 1977, 91 Stat. 577.)

**TRANSFER OF FUNCTIONS**

“Secretary of Energy” substituted in text for “Administrator” pursuant to section 301(a) of Pub. L. 95-91, see Codification note set out under section 2502 of this title.

**§ 2512. Studies****(a) Bias of surface transportation systems; submission of report**

The Secretary of Energy shall conduct a study to determine the existence of any tax, regulatory, traffic, urban design, rural electrical, or other institutional factor which tends or may tend to bias surface transportation systems toward vehicles of particular characteristics. The Secretary of Energy shall submit a report to the Congress on the findings and conclusions of such study, within 1 year after September 17, 1976. The report shall include any legislative or other recommendations of the Secretary of Energy.

**(b) Material demand and pollution effect; impact statement**

The Secretary of Energy shall conduct a continuing assessment of the long-range material demand and pollution effects which may result from or in connection with the electrification of urban traffic. Such assessment shall include a statement of the Secretary of Energy's current findings in each report submitted under section 2513<sup>1</sup> of this title. Any environmental impact statement which may be filed under a Federal law with respect to research, development, or demonstration activities under this chapter shall include reference to the matters which are subject to assessment under this subsection.

**(c) Incentives to encourage utilization; inclusion of electric vehicles in calculation of average fuel economy; evaluation program; annual report; final report and recommendations to Congress on January 1, 1987**

The Secretary of Energy shall perform, or cause to be performed, studies and research on incentives to promote broader utilization and consumer acceptance of electric and hybrid vehicle technologies. A description and a statement of the findings of such studies and research activities shall be included in each report submitted under section 2513<sup>1</sup> of this title.

(1) The Secretary of Energy in consultation with the Secretary of Transportation and the Administrator of the Environmental Protection Agency is authorized and directed to conduct a seven-year evaluation program of the inclusion of electric vehicles, as defined in section 512(b)(2)<sup>1</sup> of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2012(b)(2)),

in the calculation of average fuel economy pursuant to section 32904(a)(1) of title 49 to determine the value and implications of such inclusion as an incentive for the early initiation of industrial engineering development and initial commercialization of electric vehicles in the United States. The evaluation program shall be conducted in parallel with the research and development activities of section 2505 of this title and demonstration activities of section 2506 of this title to provide all necessary information no later than January 1, 1987, for the private sector and Federal, State and local officials to make required decisions for the full commercialization of electric vehicles in the United States.

(2) The Administrator of the Environmental Protection Agency, in consultation with the Secretary of Energy and the Secretary of Transportation, shall implement immediately the evaluation program by promulgating, within sixty days of January 7, 1980, regulations to include electric vehicles in average fuel economy calculations under section 32904(a)(1) of title 49.

(3) The Secretary of Energy, in consultation with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall include a full discussion of this evaluation program in the annual report required by section 2513<sup>1</sup> of this title in each year after promulgation of the regulations under paragraph (2). The Secretary of Energy, in consultation with the Secretary of Transportation and the Administrator of the Environmental Protection Agency, shall submit to the Congress on January 1, 1987, a final report on the results of the evaluation program and any recommendations regarding the continued inclusion of electric vehicles in the average fuel economy calculations under part C of subtitle VI of title 49.

**(d) Safety standards and regulations**

The Secretary of Transportation shall conduct a study of the current and future applicability of safety standards and regulations to electric and hybrid vehicles. The Secretary of Transportation shall report the results of such study to the Secretary of Energy and the Congress within 1 year after September 17, 1976.

**(e) Regenerative braking systems**

The Secretary of Energy shall conduct a study to determine the overall effectiveness and feasibility of including regenerative braking systems on electric and other automobiles in order to recover energy. In such study the Secretary of Energy shall—

(1) review the history of regenerative braking devices;

(2) describe relevant experimental test data and theoretical calculations with respect to such devices;

(3) assess the net energy impacts and cost effectiveness of such devices;

(4) examine present patents and patent policy regarding such devices; and

(5) determine whether regenerative braking should be used on some of the advanced electric or hybrid vehicles to be purchased or leased pursuant to section 2506(c)(2) of this title.

<sup>1</sup> See References in Text note below.

The Secretary of Energy shall submit a report to the Congress on the findings and conclusions of such study within 1 year after September 17, 1976.

(Pub. L. 94-413, §13, Sept. 17, 1976, 90 Stat. 1269; Pub. L. 95-91, title III, §301(a), Aug. 4, 1977, 91 Stat. 577; Pub. L. 96-185, §18, Jan. 7, 1980, 93 Stat. 1336.)

#### REFERENCES IN TEXT

Section 2513 of this title, referred to in subsecs. (b) and (c), was repealed by Pub. L. 104-66, title I, §1051(o), Dec. 21, 1995, 109 Stat. 717.

Section 512(b)(2) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2012(b)(2)), referred to in subsec. (c)(1), was repealed by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation.

#### CODIFICATION

In subsec. (c), “section 32904(a)(1) of title 49” substituted for “section 503(a)(1) and (2) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2003(a)(1) and (2))” and “section 503(a)(1) and (2) of the Motor Vehicle Information and Cost Savings Act”, and “part C of subtitle VI of title 49” substituted for “the Motor Vehicle Information and Cost Savings Act [15 U.S.C. 1901 et seq.]” on authority of Pub. L. 103-272, §6(b), July 5, 1994, 108 Stat. 1378, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation, and on authority of Pub. L. 103-429, §10(b), Oct. 31, 1994, 108 Stat. 4391, section 6(43)(B) of which enacted section 32918 as part of part C of subtitle VI of Title 49.

January 7, 1980, referred to in subsec. (c)(2), was in the original “enactment of the Act” which has been translated as meaning the date of enactment of Pub. L. 96-185 as the probable intent of Congress in view of the fact that section 18 of Pub. L. 96-185 enacted subsec. (c)(1) to (3) of this section.

A part of par. (2) of section 2512(c) of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976, as added by Pub. L. 96-185, has not been included in the text of subsec. (c)(2) of this section. The omitted provision consists of directory language for an amendment of section 2003 of this title and the indicated amendment has been executed to the text of that section as directed.

In subsec. (d), “Secretary of Transportation” substituted for “Secretary” in two places for clarity, see Codification note set out under section 2502 of this title.

#### AMENDMENTS

1980—Subsec. (c)(1) to (3). Pub. L. 96-185 added pars. (1) to (3).

#### TRANSFER OF FUNCTIONS

“Secretary of Energy” substituted for “Administrator” in subsecs. (a), (b), (d), and (e) pursuant to section 301(a) of Pub. L. 95-91, see Codification note set out under section 2502 of this title.

#### ELECTRIC VEHICLES

Pub. L. 100-494, §7, Oct. 14, 1988, 102 Stat. 2452, directed Secretary of Transportation to study whether regulations should be amended or promulgated to stimulate production and introduction of electric and solar-powered vehicles into commerce and to report to Congress on results of study, prior to repeal by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2503 of this title.

### § 2513. Repealed. Pub. L. 104-66, title I, § 1051(o), Dec. 21, 1995, 109 Stat. 717

Section, Pub. L. 94-413, §14, Sept. 17, 1976, 90 Stat. 1270; Pub. L. 95-91, title III, §301(a), Aug. 4, 1977, 91 Stat. 577, directed Secretary of Energy to submit to Congress annual reports on activities under this chapter.

### § 2514. Authorization for appropriations

(a) There are authorized to be appropriated to the Secretary of Energy, for purposes of carrying out this chapter, (1) not to exceed \$30,000,000 for the fiscal year ending September 30, 1977, except that at least \$10,000,000 of such authorization shall be allocated for battery research and development; (2) not to exceed \$40,000,000 for the fiscal year ending September 30, 1978; (3) not to exceed \$25,000,000 for the fiscal year ending September 30, 1979; (4) not to exceed \$20,000,000 for the fiscal year ending September 30, 1980; and (5) not to exceed \$45,000,000 for the fiscal year ending September 30, 1981. Any amount appropriated pursuant to this section shall remain available until expended, and any amount authorized for any fiscal year prior to the fiscal year ending September 30, 1981, but not appropriated, may be appropriated for any succeeding fiscal year through the fiscal year ending September 30, 1983.

(b) Any moneys received by the Secretary of Energy from vehicle sales or leases or other activities under this chapter may be retained and used for purposes of carrying out this chapter, notwithstanding the provisions of section 3302(b) of title 31, and may remain available until expended; but the amount authorized to be appropriated for any fiscal year under subsection (a) of this section shall be reduced by the amount of the moneys so received in that year.

(Pub. L. 94-413, §16, Sept. 17, 1976, 90 Stat. 1270; Pub. L. 95-91, title III, §301(a), Aug. 4, 1977, 91 Stat. 577.)

#### CODIFICATION

In subsec. (b), “section 3302(b) of title 31” substituted for “section 3617 of the Revised Statutes (31 U.S.C. 484)” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

#### TRANSFER OF FUNCTIONS

“Secretary of Energy” substituted in text for “Administrator” pursuant to section 301(a) of Pub. L. 95-91, see Codification note set out under section 2502 of this title.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2509 of this title.

## CHAPTER 53—TOXIC SUBSTANCES CONTROL

### SUBCHAPTER I—CONTROL OF TOXIC SUBSTANCES

Sec. 2601.	Findings, policy, and intent. (a) Findings. (b) Policy. (c) Intent of Congress.
2602.	Definitions.
2603.	Testing of chemical substances and mixtures. (a) Testing requirements. (b) Testing requirement rule. (c) Exemption. (d) Notice.

Sec.		Sec.	
	(e) Priority list.	2614.	Prohibited acts.
	(f) Required actions.	2615.	Penalties.
	(g) Petition for standards for the development of test data.		(a) Civil.
2604.	Manufacturing and processing notices.	2616.	(b) Criminal.
	(a) In general.		Specific enforcement and seizure.
	(b) Submission of test data.		(a) Specific enforcement.
	(c) Extension of notice period.	2617.	(b) Seizure.
	(d) Content of notice; publications in the Federal Register.		Preemption.
	(e) Regulation pending development of information.		(a) Effect on State law.
	(f) Protection against unreasonable risks.	2618.	(b) Exemption.
	(g) Statement of reasons for not taking action.		Judicial review.
	(h) Exemptions.		(a) In general.
	(i) “Manufacture” and “process” defined.	2619.	(b) Additional submissions and presentations; modifications.
2605.	Regulation of hazardous chemical substances and mixtures.		(c) Standard of review.
	(a) Scope of regulation.		(d) Fees and costs.
	(b) Quality control.		(e) Other remedies.
	(c) Promulgation of subsection (a) rules.	2620.	Citizens’ civil actions.
	(d) Effective date.		(a) In general.
	(e) Polychlorinated biphenyls.		(b) Limitation.
2606.	Imminent hazards.	2621.	(c) General.
	(a) Actions authorized and required.		(d) Consolidation.
	(b) Relief authorized.	2622.	Citizens’ petitions.
	(c) Venue and consolidation.		(a) In general.
	(d) Action under section 2605.		(b) Procedures.
	(e) Representation.		National defense waiver.
	(f) “Imminently hazardous chemical substance or mixture” defined.	2623.	Employee protection.
2607.	Reporting and retention of information.		(a) In general.
	(a) Reports.	2624.	(b) Remedy.
	(b) Inventory.		(c) Review.
	(c) Records.		(d) Enforcement.
	(d) Health and safety studies.		(e) Exclusion.
	(e) Notice to Administrator of substantial risks.	2625.	Employment effects.
	(f) “Manufacture” and “process” defined.		(a) In general.
2608.	Relationship to other Federal laws.		(b) Investigations.
	(a) Laws not administered by the Administrator.		Studies.
	(b) Laws administered by the Administrator.		(a) Indemnification study.
	(c) Occupational safety and health.		(b) Classification, storage, and retrieval study.
	(d) Coordination.	2626.	Administration.
2609.	Research, development, collection, dissemination, and utilization of data.		(a) Cooperation of Federal agencies.
	(a) Authority.		(b) Fees.
	(b) Data systems.		(c) Action with respect to categories.
	(c) Screening techniques.		(d) Assistance office.
	(d) Monitoring.		(e) Financial disclosures.
	(e) Basic research.	2627.	(f) Statement of basis and purpose.
	(f) Training.		(g) Assistant Administrator.
	(g) Exchange of research and development results.	2628.	Development and evaluation of test methods.
2610.	Inspections and subpoenas.		(a) In general.
	(a) In general.	2629.	(b) Approval by Secretary.
	(b) Scope.		State programs.
	(c) Subpoenas.		(a) In general.
2611.	Exports.		(b) Approval by Administrator.
	(a) In general.		(c) Annual reports.
	(b) Notice.		(d) Authorization.
2612.	Entry into customs territory of the United States.		Authorization of appropriations.
	(a) In general.		Annual report.
	(b) Rules.		SUBCHAPTER II—ASBESTOS HAZARD EMERGENCY RESPONSE
2613.	Disclosure of data.	2641.	Congressional findings and purpose.
	(a) In general.		(a) Findings.
	(b) Data from health and safety studies.	2642.	(b) Purpose.
	(c) Designation and release of confidential data.	2643.	Definitions.
	(d) Criminal penalty for wrongful disclosure.		EPA regulations.
	(e) Access by Congress.		(a) In general.
			(b) Inspection.
			(c) Circumstances requiring response actions.
			(d) Response actions.
			(e) Implementation.
			(f) Operations and maintenance.
			(g) Periodic surveillance.
			(h) Transportation and disposal.
			(i) Management plans.
			(j) Changes in regulations.
			(k) Changes in guidance document.
			(l) Treatment of Department of Defense schools.

- |   |   |
|---|---|
| <p>Sec. (m) Waiver.</p> <p>2644. Requirements if EPA fails to promulgate regulations.</p> <p style="padding-left: 20px;">(a) In general.</p> <p style="padding-left: 20px;">(b) Inspection.</p> <p style="padding-left: 20px;">(c) Operation and maintenance.</p> <p style="padding-left: 20px;">(d) Management plan.</p> <p style="padding-left: 20px;">(e) Building occupant protection.</p> <p style="padding-left: 20px;">(f) Transportation and disposal.</p> <p>2645. Submission to State Governor.</p> <p style="padding-left: 20px;">(a) Submission.</p> <p style="padding-left: 20px;">(b) Governor requirements.</p> <p style="padding-left: 20px;">(c) Management plan review.</p> <p style="padding-left: 20px;">(d) Deferral of submission.</p> <p style="padding-left: 20px;">(e) Status reports.</p> <p>2646. Contractor and laboratory accreditation.</p> <p style="padding-left: 20px;">(a) Contractor accreditation.</p> <p style="padding-left: 20px;">(b) Accreditation by State.</p> <p style="padding-left: 20px;">(c) Accreditation by Administrator-approved course.</p> <p style="padding-left: 20px;">(d) Laboratory accreditation.</p> <p style="padding-left: 20px;">(e) Financial assistance contingent on use of accredited persons.</p> <p style="padding-left: 20px;">(f) List of EPA-approved courses.</p> <p>2647. Enforcement.</p> <p style="padding-left: 20px;">(a) Penalties.</p> <p style="padding-left: 20px;">(b) Relationship to subchapter I of this chapter.</p> <p style="padding-left: 20px;">(c) Enforcement considerations.</p> <p style="padding-left: 20px;">(d) Citizen complaints.</p> <p style="padding-left: 20px;">(e) Citizen petitions.</p> <p style="padding-left: 20px;">(f) Citizen civil actions with respect to EPA regulations.</p> <p style="padding-left: 20px;">(g) Failure to attain accreditation; penalty.</p> <p>2648. Emergency authority.</p> <p style="padding-left: 20px;">(a) Emergency action.</p> <p style="padding-left: 20px;">(b) Injunctive relief.</p> <p>2649. State and Federal law.</p> <p style="padding-left: 20px;">(a) No preemption.</p> <p style="padding-left: 20px;">(b) Cost and damage awards.</p> <p style="padding-left: 20px;">(c) State may establish more requirements.</p> <p style="padding-left: 20px;">(d) No Federal cause of action.</p> <p style="padding-left: 20px;">(e) Intent of Congress.</p> <p>2650. Asbestos contractors and local educational agencies.</p> <p style="padding-left: 20px;">(a) Study.</p> <p style="padding-left: 20px;">(b) State action.</p> <p>2651. Public protection.</p> <p style="padding-left: 20px;">(a) Public protection.</p> <p style="padding-left: 20px;">(b) Labor Department review.</p> <p>2652. Asbestos Ombudsman.</p> <p style="padding-left: 20px;">(a) Appointment.</p> <p style="padding-left: 20px;">(b) Duties.</p> <p>2653. EPA Study of asbestos-containing material in public buildings.</p> <p>2654. Transitional rules.</p> <p>2655. Worker protection.</p> <p style="padding-left: 20px;">(a) Prohibition on certain activities.</p> <p style="padding-left: 20px;">(b) Employee training and equipment.</p> <p style="padding-left: 20px;">(c) "Emergency repair" defined.</p> <p>2656. Training grants.</p> <p style="padding-left: 20px;">(a) Grants.</p> <p style="padding-left: 20px;">(b) Authorization.</p> <p style="text-align: center;">SUBCHAPTER III—INDOOR RADON ABATEMENT</p> <p>2661. National goal.</p> <p>2662. Definitions.</p> <p>2663. EPA citizen's guide.</p> <p style="padding-left: 20px;">(a) Publication.</p> <p style="padding-left: 20px;">(b) Information included.</p> <p>2664. Model construction standards and techniques.</p> <p>2665. Technical assistance to States for radon programs.</p> <p style="padding-left: 20px;">(a) Required activities.</p> <p style="padding-left: 20px;">(b) Discretionary assistance.</p> <p style="padding-left: 20px;">(c) Information provided to professional organizations.</p> | <p>Sec. (d) Proficiency rating program and training seminar.</p> <p style="padding-left: 20px;">(e) Authorization.</p> <p>2666. Grant assistance to States for radon programs.</p> <p style="padding-left: 20px;">(a) In general.</p> <p style="padding-left: 20px;">(b) Application.</p> <p style="padding-left: 20px;">(c) Eligible activities.</p> <p style="padding-left: 20px;">(d) Preference to certain States.</p> <p style="padding-left: 20px;">(e) Priority activities and projects.</p> <p style="padding-left: 20px;">(f) Federal share.</p> <p style="padding-left: 20px;">(g) Assistance to local governments.</p> <p style="padding-left: 20px;">(h) Information.</p> <p style="padding-left: 20px;">(i) Limitations.</p> <p style="padding-left: 20px;">(j) Authorization.</p> <p>2667. Radon in schools.</p> <p style="padding-left: 20px;">(a) Study of radon in schools.</p> <p style="padding-left: 20px;">(b) Authorization.</p> <p>2668. Regional radon training centers.</p> <p style="padding-left: 20px;">(a) Funding program.</p> <p style="padding-left: 20px;">(b) Purpose of centers.</p> <p style="padding-left: 20px;">(c) Applications.</p> <p style="padding-left: 20px;">(d) Selection criteria.</p> <p style="padding-left: 20px;">(e) Termination of funding.</p> <p style="padding-left: 20px;">(f) Authorization.</p> <p>2669. Study of radon in Federal buildings.</p> <p style="padding-left: 20px;">(a) Study requirement.</p> <p style="padding-left: 20px;">(b) High-risk Federal buildings.</p> <p style="padding-left: 20px;">(c) Study designs.</p> <p style="padding-left: 20px;">(d) Information on risks and testing.</p> <p style="padding-left: 20px;">(e) Study deadline.</p> <p style="padding-left: 20px;">(f) Report to Congress.</p> <p>2670. Regulations.</p> <p>2671. Additional authorizations.</p> <p style="text-align: center;">SUBCHAPTER IV—LEAD EXPOSURE REDUCTION</p> <p>2681. Definitions.</p> <p>2682. Lead-based paint activities training and certification.</p> <p style="padding-left: 20px;">(a) Regulations.</p> <p style="padding-left: 20px;">(b) Lead-based paint activities.</p> <p style="padding-left: 20px;">(c) Renovation and remodeling.</p> <p>2683. Identification of dangerous levels of lead.</p> <p>2684. Authorized State programs.</p> <p style="padding-left: 20px;">(a) Approval.</p> <p style="padding-left: 20px;">(b) Approval or disapproval.</p> <p style="padding-left: 20px;">(c) Withdrawal of authorization.</p> <p style="padding-left: 20px;">(d) Model State program.</p> <p style="padding-left: 20px;">(e) Other State requirements.</p> <p style="padding-left: 20px;">(f) State and local certification.</p> <p style="padding-left: 20px;">(g) Grants to States.</p> <p style="padding-left: 20px;">(h) Enforcement by Administrator.</p> <p>2685. Lead abatement and measurement.</p> <p style="padding-left: 20px;">(a) Program to promote lead exposure abatement.</p> <p style="padding-left: 20px;">(b) Standards for environmental sampling laboratories.</p> <p style="padding-left: 20px;">(c) Exposure studies.</p> <p style="padding-left: 20px;">(d) Public education.</p> <p style="padding-left: 20px;">(e) Technical assistance.</p> <p style="padding-left: 20px;">(f) Products for lead-based paint activities.</p> <p>2686. Lead hazard information pamphlet.</p> <p style="padding-left: 20px;">(a) Lead hazard information pamphlet.</p> <p style="padding-left: 20px;">(b) Renovation of target housing.</p> <p>2687. Regulations.</p> <p>2688. Control of lead-based paint hazards at Federal facilities.</p> <p>2689. Prohibited acts.</p> <p>2690. Relationship to other Federal law.</p> <p>2691. General provisions relating to administrative proceedings.</p> <p style="padding-left: 20px;">(a) Applicability.</p> <p style="padding-left: 20px;">(b) Rulemaking docket.</p> <p style="padding-left: 20px;">(c) Inspection and copying.</p> <p style="padding-left: 20px;">(d) Explanation.</p> <p style="padding-left: 20px;">(e) Judicial review.</p> <p style="padding-left: 20px;">(f) Effective date.</p> <p>2692. Authorization of appropriations.</p> |
|---|---|